

Patent *[Signature]*

Attorney's Docket No. 030681-200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Yung-Soo Kim et al.

Application No.: 09/576,767

Filed: May 24, 2000

For: METHOD FOR TRANSMITTING
AND RECEIVING ORTHOGONAL
FREQUENCY DIVISION
MULTIPLEXING SIGNAL AND
APPARATUS THEREFOR

)
)
) Group Art Unit: 2665

)
) Examiner: Daniel J Ryman

)
) Confirmation No.: 4658

LETTER REGARDING SUBSTANCE OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On October 19, 2004, the undersigned contacted the Examiner and requested information concerning the status of the Amendment After Final Rejection filed on September 15, 2004, in connection with the above-identified application. The undersigned notes with appreciation the courtesies extended by the Examiner during the telephonic discussions that day.

The Examiner stated that the delay in issuing an action resulted from a USPTO file transformation project currently underway within his group (i.e., a project to transform paper files into a "paperless" file system, commonly known as Image File Wrapper (IFW)). Nevertheless, the Examiner graciously agreed to review the arguments set forth in the Amendment and to provide us with his initial assessment of the response.

Later on October 19, 2004, the Examiner contacted the undersigned to convey his initial thoughts concerning Applicant's response. During that conversation, the Examiner agreed to enter the Amendment After Final Rejection and to at least withdraw the Section 102 rejections based on the Cimini patent, as indicated on page 3 of the Interview Summary sheet (paper no. 20031019).

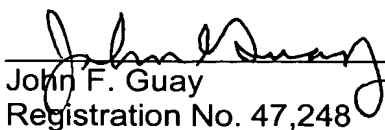
It should be noted that the Examiner stated on page 3 of the Interview Summary that "Examiner would issue a new rejection in light of Applicant's arguments." In making this statement, the Examiner did not identify what prior art, if any, he was relying on, and under what statute such claims were to be rejected. The undersigned respectfully submits that with respect to patentability regarding prior art, the pending claims should be considered allowable absent an established *prima facie* case, for example, of obviousness or anticipation, which is based on evidence from the prior art.

It is hoped that this letter clarifies the current status of the present application. If the Examiner disagrees with any interpretation or recollection reproduced herein, he is invited to contact the undersigned at the number below to resolve any perceived ambiguity.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 18, 2004

By: 
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